



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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April 20, 2011

via e-mail: JOdato@TimesUnion.com

Mr. James M. Odatto
Albany Times Union

RE: Freedom of Information Law (FOIL) Request # 110249

Dear Mr. Odatto:

This letter responds to your correspondence dated April 19, 2011, which, pursuant to the FOIL, requested the following:

“[A] copy of any documents obtained during the tenure of Attorney General Eric Schneiderman concerning an Albany County business called NXIVM, also known as Executive Success Programs.”

Please be advised that records that respond to your request are exempt from production pursuant to New York Public Officers Law § 87(2)(e) because the documents requested were compiled for law enforcement purposes which, if disclosed, would interfere with law enforcement investigations or judicial proceedings.

You have a right to appeal the foregoing decision. If you should elect to file such an appeal, your written appeal must be submitted no later than 30 days after your receipt of this letter to David Lawrence III, Records Appeals Officer, State of New York, Office of the Attorney General, 120 Broadway, New York, New York, 10271-0332.

Sincerely,

Joshua Pepper
Assistant Attorney General

cc: David Lawrence III, Esq.